



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
HU YANG)
TA YEN CHING)
GANGFENG CAI) Group Art Unit: Unknown
Serial No.: 10/609,050) Examiner: Unknown
Filed: June 27, 2003) Attorney Docket: 2039.017500/RFE
For: OXYGEN SCAVENGING POLYMERS) (09/727110US1)
AS ACTIVE BARRIER TIE LAYERS IN)
MULTILAYERED STRUCTURES) CUSTOMER NO. 37774

**REQUEST FOR RECONSIDERATION OF PETITION
UNDER 37 CFR 1.47(a)**

MAIL STOP PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: E. SHIRENE WILLIS

Sirs:

In response to the Decision Refusing Status Under 37 CFR 1.47(a) dated January 20, 2004 (copy enclosed), Applicants hereby submit an executed Declaration in compliance with 37 CFR 1.63 and 1.64. The Declaration provides the citizenship of non-signing inventor Cai.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below.

February 5, 2004


Cynde Meinhart

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct the fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2039.017500RFE.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 37774

A handwritten signature in black ink, appearing to read 'Raymund F. Eich', written over a horizontal line.

Raymund F. Eich, Ph.D.

Reg. No. 42,508

10333 Richmond, Suite 1100

Houston, Texas 77042

(713) 934-4065

(713) 934-7011 (fax)

AGENT FOR APPLICANTS

February 5, 2004



PATENT
Attorney Docket No. 2039.017500/RFE
Client Docket No. 09/727110US1

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **OXYGEN SCAVENGING POLYMERS AS ACTIVE BARRIER TIE LAYERS IN MULTILAYERED STRUCTURES**, the Specification of which was filed on **June 27, 2003**, as application Serial No. **10/609,050**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate, PCT international application(s), and United States provisional application(s), listed below and have also identified below any foreign application for patent or inventor's certificate, PCT international application, or United States provisional application, having a filing date before that of the application on which priority is claimed:

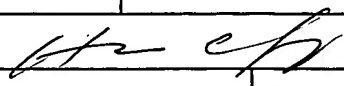
| PRIORITY APPLICATION(S) | | | Priority Claimed |
|-------------------------|-----------|--------------|---------------------|
| (Number) | (Country) | (Date Filed) | Yes/No |
| (Number) | (Country) | (Date Filed) | Yes/No |

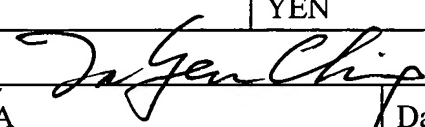
I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which becomes available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|-------------------|----------|
| 09/127,316 | July 31, 1998 | Pending |
| (Application Serial No.) | (Filing Date) | (Status) |
| 09/727,110 | November 30, 2000 | Pending |
| (Application Serial No.) | (Filing Date) | (Status) |

I hereby direct that all correspondence and telephone calls be addressed to Raymund F. Eich, Ph.D., Williams, Morgan & Amerson, P.C., 10333 Richmond, Suite 1100, Houston, Texas 77042, (713) 934-4065.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

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|---|--|-------|--------------|
| Inventor's Full Name: | HU | | YANG |
| Inventor's Signature: |  | | |
| Country of Citizenship: | CANADA | Date: | Feb. 2, 2004 |
| Residence Address: (street, number, city, state, and/or country) | 3123 Red Ridge Court Manvel, Texas 77578 | | |
| Post Office Address: (if different from above) | | | |

| | | | |
|---|---|-------|---------|
| Inventor's Full Name: | TA | YEN | CHING |
| Inventor's Signature: |  | | |
| Country of Citizenship: | USA | Date: | 1-29-04 |
| Residence Address: (street, number, city, state, and/or country) | 10326 Ripple Lake Drive Houston, TX 77065 | | |
| Post Office Address: (if different from above) | | | |

| | | | |
|---|---|-------|-----|
| Inventor's Full Name: | GANGFENG | | CAI |
| Inventor's Signature: | | | |
| Country of Citizenship: | USA | Date: | |
| Residence Address: (street, number, city, state, and/or country) | 2502 Early Bird Lane Arlington, TX 76001 | | |
| Post Office Address: (if different from above) | | | |